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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/158,308	09/22/1998	STEVEN CRAIG WEIRATHER	310048-401	3823

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Douglas N Larson Esq  
SQUIRE SANDERS & DEMPSEY LLP  
801 S Figueroa St 14th Floor  
Los Angeles, CA 90017-5554

EXAMINER
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GRAY, LINDA L

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 03/23/2004

46

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/158,308

Applicant(s)

WEIRATHER ET AL.

Examiner

Linda L Gray

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 143, 182-194, 196-200, 213-283 and 292-388 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 143, 182-194, 196-200, 213-283 and 292-358 is/are allowed.
- 6) ☒ Claim(s) 359-364, 366, 368-372, 374, 375 and 377-388 is/are rejected.
- 7) ☒ Claim(s) 365, 367, 373 and 376 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**Detailed Action**

**Claim Rejections - 35 USC § 112**

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. **Claim 366 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.**

The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. In the originally filed application, the adhesive is demonstrated as being directly in contact with the liner sheet and the facestock sheet in some areas.

**Claim Rejections - 35 USC § 102**

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. **Claims 359, 364, 368-370, 374-375, 380, and 383-385 are rejected under 35 U.S.C. 102(b) as being anticipated by Klein (US 5,198,275).**

**Claims 359 and 385**, Klein teaches a method of forming a sheet of printable media (business cards) (Fig 3) including providing a construction including **(a)** printable facestock 85 (cardstock, **claim 374**), **(b)** liner 90 (of paper, **claims 375 and**

**384)** having liner coating 125, and **(c)** ultraremovable adhesive 95 between facestock 85 and coating 125 and thereby adhering liner 90 to facestock 85. The method further includes cutting through facestock 85 to liner 90 to form facestock cut lines 200 (vertical and horizontal (**claim 369**)) defining at least in part perimeters of printable media whose back sides (**claim 383**) are formed by a back side of facestock 85 and at least in part a waste portion surrounding the media. Liner 90 covers all the back sides of facestock 85 (**claim 368**) and holds the media together for a printing operation. The media can be removed from liner 90 after printing to form individual media (c 2, L 39, to c 4, L 24).

**Claims 364**, there is provided a matrix of business cards including a pair of directly adjacent columns and a plurality of rows. **Claim 370**, a top of one of the lines 200 extends a full width of facestock 85.

**5. Claims 360-362 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein in view of Popat et al. (US 5,407,718).**

**Claim 360**, *Klein does not teach that liner 90 is a solid liner.*

Popat et al. teach a plurality of printable media 22 on solid liner 28.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Klein that liner 90 is a solid liner without the cut lines because Popat et al. teach solid liners to be conventional when individual cards are not desired to be separated completely from the construction and one skilled in the art not wishing to have a completely separated piece from the construction of Klein would have been motivated to eliminate cut lines 300 to provide a solid liner in that

Popat et al. provide the necessary guidance for using solid liners in the printable media art.

**Claims 361-362**, liner 90 extends the entire width and length of facestock 85.

**6. Claims 363, 371-372, 377-379, 382, and 386-388 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein.**

***Claims 363 and 382**, Klein does not teach specifics about the cutting of lines 200 in that Klein does not teach that cutting is die cutting.*

Die cutting is conventional in the art, and it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Klein that cutting lines 200 is by die cutting because it is obvious replace one type of cutting with another art recognized alternative type of cutting.

***Claim 371**, Klein does not teach that the rest of horizontal lines 200 are spaced inwardly with the edges.*

It is conventional to provide a small uncut piece of web material and the edges of a group of labels in a sheet to further help keep the labels together until desired to be separated, and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Klein that the rest of horizontal lines 200 are spaced inwardly from the edges.

**Claim 372**, the other horizontal lines 200 extend a distance out beyond the outermost of vertical lines 200.

***Claims 377 and 386**, Klein does not teach unwinding from a roll.*

It is conventional to provide a supply of label material from a roll because such is an efficient means for storing a large quantity of material , and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Klein unwinding from a roll.

**Claim 378-379**, the final product is cut into sheets of printed media. **Claims 387**, lines 200 are formed before sheeting. **Claim 388**, liner 90 covers all the back sides of facestock 85 and holds the media together for a printing operation. The media can be removed from liner 90 after printing to form individual media.

**Allowable Subject Matter**

**7. Claims 143, 182-194, 196-200, 213-283, and 292-358 are allowed.**

**Claims 365, 367, 373, 376, and 381 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

**Claim 366 contains allowable subject matter; however, the limitation of claim 366 is new matter.**

**8. The following is a statement of reasons for the indication of allowable subject matter:**

**claims 365, 376, and 381**, in Klein the printable media do not define a matrix of rectangular including two columns of cards directly adjacent one another and separated only by one of the cut lines 200 in that there is waste web of facestock 85 therebetween,

**although claim 366 contains new matter**, Klein does not teach the new matter that liner 90 is bonded to the backside of facestock 85 without adhesive directly on liner 90 in that the adhesive is between liner 90 and facestock 85 at all contact surfaces,

**claim 367**, Klein does not teach that lines 200 include frame cut lines and frame grid lines where the frame cut lines include first and second side cut lines spaced in from the left and right edges and disposed parallel thereto and first and second end cut lines spaced in from and parallel to the first and second end edges with both of the end cut lines engaging both of the side cut lines with the frame cut lines defining a central area on facestock 85, and where the grid cut lines define a grid disposed in the central area, the grid cut lines and the frame cut lines separating the central area into the cards, and

**claim 373**, Klein does not teach a vertical cut line having a left cut line positioned proximate to but spaced a distance inward of the left side edge and a right cut line positioned proximate to but spaced a distance inward from the right side edge, and a center cut line in the center of facestock 85.

**9. As allowable subject matter has been indicated, Applicants' reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).**

**Conclusion**

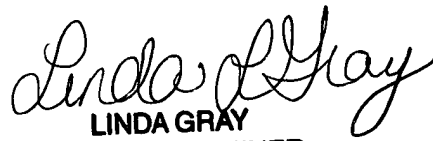
**10.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Gray whose telephone number is (571) 272-1228. The examiner can normally be reached Monday-Friday from 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino, can be reached at (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

llg

March 22, 2004

  
LINDA GRAY  
PRIMARY EXAMINER